

March 11, 2019



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 10788
(FIFTEENTH REVISION)

EXPIRATION DATE: 2022-05-31

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bevin Bros Manufacturing Company
East Hampton, CT
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the manufacture, mark, sale, and use of a non-DOT specification cylinder conforming to a DOT specification 39 cylinder, except as specified herein, for the transportation in commerce of the materials authorized in paragraph 6 of this special permit. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. In accordance with 49 CFR 107.107(a), party status may not be granted to a manufacturing permit. These packaging may be used in accordance with 49 CFR 173.22a.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.302(a)(1) in that a non-DOT specification cylinder is not authorized, except as specified herein.

Tracking Number: 2018060088

5. BASIS: This special permit is based on the application of Bevin Bros Manufacturing Company dated June 7, 2018, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Material Description | | | |
|---|------------------------|-----------------------|----------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Flammable gases listed in 49 CFR that are authorized in DOT 39 specification cylinders. | 2.1 | As appropriate | As appropriate |
| Non-flammable gases listed in 49 CFR that are authorized in DOT 39 specification cylinders. | 2.2 | As appropriate | As appropriate |

7. PACKAGING: Prescribed packaging is a non-DOT specification, non-refillable steel inside cylinder described as P.S.I. Plus, Inc.'s Part No. 51492 and fabricated in conformance with the DOT specification 39 cylinder except as follows:

§ 178.65(a) *Type, size, service pressure, and test pressure.*

Each cylinder must be welded construction with a marked service pressure not to exceed 80 percent of test pressure or 2,200 psig, whichever is less.

(1) Size limitation: Maximum water capacity may not exceed 10 pounds (277 cubic inches).

(2) and (3) * * *

§ 178.65(b) *Material; steel.*

(1) Steel:

(i) [ASTM A-513-00]- MT 1010, MT 1015, MT X 1015, MT 1020, MT X1020 and ST52.3. The chemical composition must be in accordance with Table 3 of P.S.I. Plus, Inc.'s application on file with the Office of

Hazardous Materials Safety Approvals and Permits Division (OHMSAPD). The steel analysis must confirm to following table:

| Element | Maximum percent |
|------------|-----------------|
| Phosphorus | .035 |
| Sulfur | .035 |

(ii) Not applicable.

(iii) * * *

(iv) Materials with longitudinal welds such as electric resistance welded or drawn over mandrel tubing that is manufactured and tested as shown in the application are authorized.

(2) Not applicable.

(3) and (4) * * *

§ 178.65(c) *Manufacture.*

(1) * * *

(2) * * *

(i) through (v) Not applicable.

(3) * * * Except welding or brazing of foot ring attachments to the cylinder are permitted proceeding pressure testing.

(4) * * *

§ 178.65(d) *Wall thickness.*

* * *

(1) * * *

(2) Not applicable.

§ 178.65(e) *Openings and attachments.*

* * *

§ 178.65(f) *Pressure tests.*

(1) * * *

(2) One cylinder taken from the beginning of each lot, and one from each 200 or less successively produced within the lot thereafter, must be hydrostatically tested to destruction. The entire lot must be rejected (see paragraph (h) of this section) if:

(i) through (iii) * * *

(iv) Not applicable.

(3) * * *

§ 178.64(g) *Flattening test.*

* * *

§ 178.64(h) *Rejected cylinders.*

* * *

§ 178.64(i) *Markings.*

Applies except that "DOT-SP 10788" replaces "DOT-39".

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this Special Permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this special permit and the HMR.

c. Each packaging manufactured under the authority of this

special permit must be either (1) marked with the name of the manufacturer or (2) marked with a registration symbol designated by the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD) for a specific manufacturing facility.

- d. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo-only aircraft and passenger-carrying aircraft.
10. MODAL REQUIREMENTS: This special permit imposes no additional modal requirements.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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